

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

UNITED STATES TELECOM ASSOCIATION,

Petitioner,

v.

No. 00-1428

**FEDERAL COMMUNICATIONS
COMMISSION and THE UNITED STATES
OF AMERICA,**

Respondents.


STATUS REPORT


The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory Ruling*.^{*} In an order dated January 31, 2005, the Court enlarged from 30 to 90 days the intervals at which the Commission must file status reports.

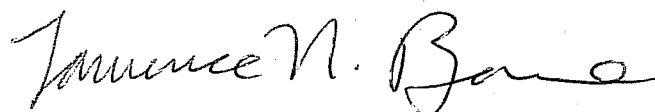
^{*} *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168 (2000) ("*South Dakota Declaratory Ruling*").

The Commission has not yet completed action on the reconsideration petitions. Commission counsel will promptly inform the Court and the parties when the agency acts on those petitions. In the meantime, the Court should continue to hold the case in abeyance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John E. Ingle".

 John E. Ingle
Deputy Associate General Counsel

A handwritten signature in cursive script, appearing to read "Laurence N. Bourne".

Laurence N. Bourne
Counsel

Federal Communications Commission
Washington, D.C.
(202) 418-1740

October 23, 2006

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES TELECOM ASSOCIATION, Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA, Respondents.

Certificate Of Service

I, Shirley E. Farmer, hereby certify that the foregoing "Status Report" was served this 23rd day of October, 2006, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

Michael F. Altschul
CTIA - The Wireless Association
1400 16th Street, NW
Suite 600
Washington DC 20036

Counsel For: Cellular Telecommunications Industry
Assn.

David Cosson
Kraskin, Lesse & Cosson, LLP
2120 L Street, N.W.
Suite 520
Washington DC 20037

Counsel For: Project Telephone Company, Inc.

Benjamin H. Dickens, Jr.
Blooston, Mordkofsky, Dickens, Duffy & Prendergast
2120 L Street, N.W., Suite 300
Washington DC 20037

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Donna N. Lampert
Lampert & O'Connor, P.C.
1776 K Street, N.W.
Suite 700
Washington DC 20006

Counsel For: United States Telecom Association

David L. Sieradzki
Hogan & Hartson L.L.P.
555 Thirteenth Street, N.W.
Washington DC 20004-1109

Counsel For: Western Wireless Corporation

Richard D. Coit
South Dakota Independent Telephone Coalition
207 East Capitol, Suite 206
P.O. Box 57
Pierre SD 57501

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Gene DeJordy
Western Wireless Corp.
Suite 100
2001 N.W. Sammamish Road
Issaquah WA 98027

Counsel For: Western Wireless Corporation

Nancy C. Garrison
U.S. Dept. of Justice
Antitrust Div., Appellate Section
950 Pennsylvania Avenue, N.W., Room 3224
Washington DC 20530-0001

Counsel For: USA

James Bradford Ramsay
NARUC
1101 Vermont Ave., N.W.
Suite 200
Washington DC 20005

Counsel For: National Ass'n of Regulatory Utility
Comm'rs

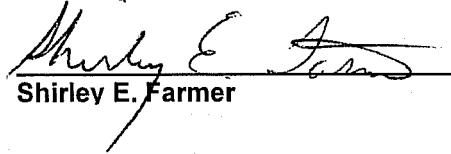
L. Andrew Tollin
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington DC 20037-1128

Counsel For: Dobson Communications Corporation

00-1428

Rolayne Ailts Wiest
Special Assistant Attorney General
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre SD 57501

Counsel For: South Dakota Public Utilities
Commission



Shirley E. Farmer